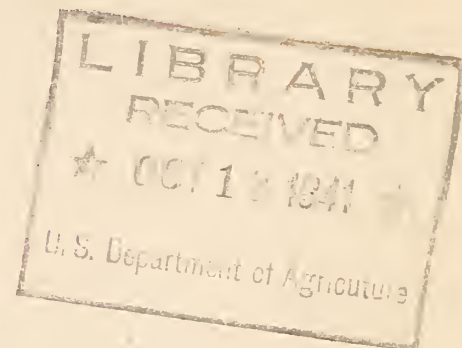


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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
WASHINGTON, D. C.



PROPOSED
ORDER, DETERMINATION, AND AMENDMENTS
TO THE
RULES AND REGULATIONS
UNDER THE FEDERAL SEED ACT

PROPOSED ORDER UNDER THE FEDERAL SEED ACT

RE: IMPORTATIONS OF MIXTURES OF
WHITE CLOVER, SUCKLING
CLOVER, AND CLUSTER CLOVER

By virtue of authority vested in the Secretary of Agriculture by Section 303 of the Federal Seed Act of August 9, 1939 (53 Stat. 1275), I hereby find and do prescribe by this order that the importation of mixtures, in any combination, of seed of white clover (Trifolium repens), suckling clover (Trifolium dubium), and cluster clover (Trifolium glomeratum) for planting is not detrimental to the user of such seeds.

This order shall become effective on and after July 1, 1941.

PROPOSED DETERMINATION UNDER THE FEDERAL SEED ACT

ALFALFA AND RED CLOVER SEED GROWN
IN ANY FOREIGN COUNTRY OTHER THAN
THE DOMINION OF CANADA NOT ADAPTED
FOR GENERAL AGRICULTURAL USE IN THE
UNITED STATES

By virtue of authority vested in the Secretary of Agriculture by Section 305 of the Federal Seed Act of August 9, 1939 (53 Stat. 1275), I do hereby determine that seed of alfalfa and red clover from any foreign country other than the Dominion of Canada is not adapted for general agricultural use in the United States.

On and after the expiration of ninety days after the publication of this determination and until such determination is revoked, ten percent of the seeds in each container of such alfalfa or red clover seed, or any seed containing ten percent or more of such alfalfa or red clover seed, admitted into the commerce of the United States shall be stained a red color.

PROPOSED AMENDMENTS TO REGULATIONS UNDER
THE FEDERAL SEED ACT

Sec. 201.2 (h)(2)

Insert the following "sunflower (cultivated) (Helianthus annuus),
alyce clover (Alysicarpus vaginalis), cluster clover (Trifolium glomera-
tum), Ladino clover (Trifolium repens), hemp (Cannabis sativa), white
mustard (Brassica alba), black mustard (Brassica nigra), turnip rape
(Brassica rapa var.), annual rape (Brassica napus var.), bird rape
(Brassica campestris), Adzuki bean (Phaseolus angularis)."

Sec. 201.2 (i)

Insert "Pak-choi (Brassica chinensis), Pe-tsai or Chinese cabbage
(Brassica pekinensis), spinach mustard (Brassica rapa perviridis),
vegetable mustards (Brassica spp.)."

Sec. 201.30

Add to the second sentence the words "and the month and year in
which the germination test was completed."

Sec. 201.31

Insert after the word "okra" the number "1" which will refer to
the subnote "including hard seed," and add "Pak-choi 75%, Pe-tsai or
Chinese cabbage 75%, spinach mustard 75%, vegetable mustards 75%."

Sec. 201.58

In table 2 make the following indicated additions and correc-
tions:

Name of Seed	: Sub- :strata	: Tem- : pera- : ture	: First : Count	: Final : Count	: :	Remarks
Change line beginning with "Bahia grass" to read as follows:	:	:	:	:	:	:
"Bahia grass-- <u>Paspalum</u> <u>notatum</u>	: P	: 30-35	: 3	: 21	:	:Light at 30°C. Re- :move all glumes with :aid of sharp scalpel. :Fresh seed, lightly :scratch surface of :caryopsis and use :potassium nitrate."
Insert after "Barley":	:	:	:	:	:	:
"Bean, Adzuki-- <u>Phaseolus</u> <u>angularis</u>	: R,S	: 20-30	: 4	: 10"	:	:
Under Bluegrass, add to line beginning with "Kentucky" the following:	:	:	:	:	:	: "Fresh seed 15-30°C : daylight"
Insert under "Clovers" after "Alsike":	:	:	:	:	:	:
"Alyce-- <u>Alysicarpus</u> <u>vaginalis</u>	: B	: 30	: 4	: 21"	:	:
Insert under "Clovers" after "Bur":	:	:	:	:	:	:
"Cluster-- <u>Trifolium</u> <u>glomeratum</u>	: B	: 20	: 4	: 10"	:	:
Insert under "Clovers" after "Crimson":	:	:	:	:	:	:
"Ladino-- <u>Trifolium</u> <u>repens</u>	: B,S	: 20	: 3	: 10"	:	:
Insert after "Guinea Grass":	:	:	:	:	:	:
"Hemp-- <u>Cannabis sativa</u>	: B	: 20-30	: 3	: 7"	:	:

Name of Seed	Sub- strata	Tem- pera- ture	First Count	Final Count	Remarks
After line beginning with:					
"Korean"--insert the fol-					
lowing:					
"Lupine-- <u>Lupinus alba</u>	B,T	20	3	7"	
Delete line beginning with					
"Rape-- <u>Brassica napus</u> " and					
insert:					
"Rape:					
Annual-- <u>Brassica na-</u>					
<u>pus var.</u>	B	20-30	3	7	
Bird-- <u>Brassica cam-</u>					
<u>pestris</u>	P	20-30	3	10	:Light; fresh seed
Turnip-- <u>Brassica</u>					:potassium nitrate.
<u>rapa var.</u>	B	20-30	3	7	
Winter-- <u>Brassica</u>					
<u>napus</u>	B	20-30	3	7"	
Insert after "Sudan grass:"					
"Sunflower-- <u>Helianthus</u>					
<u>annuus</u>	T,B	20-30	3	7"	
(cultivated)					
In the heading "Vege-					
tables and Herbs" delete					
the words "and Herbs."					
Under "Cress" in line					
beginning with "Water"					
change to read as fol-					
lows:					
"Water-- <u>Roripa nastur-</u>					
<u>tium-aquaticum</u>	P	20-30	4	14	Light"

Name of Seed	: Sub- :strata:	: Temper- :ature :	First Count	: Final: Count:	Remarks
Delete two lines beginning with "Mustard--India" and insert:	:	:	:	:	:
"Mustard:	:	:	:	:	:
Black-- <u>Brassica</u> <u>nigra</u>	P	20-30	3	7	:Light; fresh seed :potassium nitrate :and prechill at :10°C for 3 days.
India-- <u>Brassica</u> <u>junceca</u>	P	20-30	3	7	:Light; fresh seed :potassium nitrate :and prechill at :10°C for 3 days.
Spinach-- <u>Brassica</u> <u>rapa perviridis</u>	B	20-30	3	7	:
White-- <u>Brassica</u> <u>hirta (alba)</u>	P	20-30	3	5	:Light"
Insert after "Onion":	:	:	:	:	:
"Pak-choi-- <u>Brassica</u> <u>chinensis</u>	B	20-30	3	7"	:
Insert after "Pepper":	:	:	:	:	:
"Pe-tsai (Chinese cabbage)-- <u>Brassica pekinensis</u>	B	20-30	3	7"	:
Change item under column "Final Count" in line beginning with "Lettuce" from "5" to "7".	:	:	:	:	:
Change item under "Final Count" in line beginning with "Rutabaga" from "72" to "14".	:	:	:	:	:

Sec. 201.101

Add to the enumerated kinds of seeds the following "parsley; pumpkin;
pea, field; pea, Austrian winter; hemp; chickpea; Mung bean; white mustard;
black mustard; bird rape; turnip rape; annual rape; Adzuki bean; sunflower;
and watermelon;" and delete the word "pea".

Sec. 201.102

Insert "dandelion - 65%."

Sec. 201.103

Reword the section as follows: "Unadapted alfalfa and red clover. Alfalfa seed and red clover seed of foreign origin other than the Dominion of Canada have been determined to be unadapted for general agricultural use in the United States."

Sec. 201.104

Reword the section as follows: "Staining of imported seed.
(a) 10 percent of the seed in each container of the seed of alfalfa or red clover grown in any foreign country other than the Dominion of Canada shall be stained red; (b) 1 percent of the seed in each container of alfalfa or red clover of Canadian origin shall be stained violet;
(c) 10 percent of the seed in each container of alfalfa or red clover shall be stained red; (1) If the origin of alfalfa or red clover is unestablished; (2) If the origin of alfalfa or red clover is such as to require different colors; and (3) If the alfalfa or red clover of foreign origin has been commingled with seed of the same kind grown in the United States."

Sec. 201.107

Add to incidental weeds the following: "black mustard (Brassica nigra), bird rape (Brassica campestris), and turnip rape (Brassica rapa var.)"

Sec. 201.109

After Sec. 201.108 insert as Sec. 201.109 the following: "For the purposes of Sec. 303 of the act the importation of mixtures in any com-

bination of seed of suckling clover (Trifolium dubium), white clover (Trifolium repens), or cluster clover (Trifolium glomeratum) shall not be construed to be adulterated."

PROPOSED AMENDMENTS TO JOINT RULES AND REGULATIONS
UNDER THE FEDERAL SEED ACT

Sec. 201.216

Delete the entire section and reword as follows: "Forwarding samples: Samples from the various ports shall be forwarded to seed laboratories in accordance with instructions of the Agricultural Marketing Service to be furnished to customs officers from time to time."

Sec. 201.218

Reword as follows: "Delivery under bond. After samples of seed or screenings offered for importation into the United States from any foreign country have been drawn, such seed or screenings shall be admitted into the commerce of the United States only after the seed or screenings have been found to meet the requirements of the act and these regulations: Provided, however, that if each and every container of such seed or screenings bears a sufficient mark of identification, collectors of customs may release from customs custody for delivery to the owner or consignee shipments which have been sampled, pending examination and decision in the matter, upon the execution on the appropriate form of either a customs single-entry bond or a customs term-bond in such amount as is prescribed for such bond in customs regulations in force on date of entry, which bond shall contain a condition for the redelivery of the seed or screenings or any part thereof upon demand of the collector of customs at any time. Prior to being so admitted, the seed or screenings shall be kept intact

and not tampered with in any way, or removed from the containers except under supervision as provided by regulation. The bond shall be filed with the collector of customs, who in case of default; shall take appropriate action to effect the collection of liquidated damages equal to the value of the entire shipment as set forth in the entry plus the estimated duty thereon, if any."

Sec. 201.222 (a)

Add "parsley, pumpkin, field pea, Austrian winter pea, white mustard, black mustard, turnip rape, annual rape, bird rape and red melon."

Sec. 201.222 (b)

Add "chickpea, Adzuki bean, sunflower, Mung bean and hemp."

Also add the following new subsection:

"(c) If any seed enumerated in section 201.222 is declared for seeding purposes and is found upon examination by the Agricultural Marketing Service not to meet the requirements of the Federal Seed Act, the importer shall be permitted to withdraw his declaration made under section 201.222 upon notification from the Agricultural Marketing Service that the seed may be released for feeding or manufacturing purposes. In this event, the importer shall be required to file a new declaration that no part of the importation will be used for seeding purposes."